



IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

Case No. 18-CR-345

DAVID EDWARD DE VERE,

Defendant.

STATEMENT OF FACTS

The United States and the defendant, DAVID EDWARD DE VERE (hereinafter, "DE VERE"), stipulate that the allegations in the Criminal Information and the following facts are true and correct, and that had the matter gone to trial, the United States would have proven them beyond a reasonable doubt with admissible and credible evidence:

1. From on or about March 27, 2017, to on or about March 28, 2017, in Woodbridge, Virginia, within the Eastern District of Virginia, DE VERE did unlawfully and knowingly employ, use, persuade, induce, entice, and coerce a minor (hereinafter, the "minor victim") to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, knowing and having reason to know that such visual depictions would be transmitted using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and which visual depictions were actually transmitted using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and which visual depictions were produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

2. That is, on March 26, 2017, DE VERE began communicating via email with the

minor victim, who was living with his parents in Colorado at the time. The content of these emails establishes that: DE VERE met the minor victim on Recon, a website and mobile messaging application that caters to gay men interested in fetishized sexual activity; DE VERE began a “master/slave” online sexual relationship with the minor victim; DE VERE knew that the minor victim was 16 years old; DE VERE nevertheless requested that the minor victim take and send him via email images of the minor victim engaged in sexually explicit conduct; and DE VERE travelled to Colorado with the intent to sexually abuse the minor victim.

3. Specifically, on March 26, 2017, the minor victim sent DE VERE the following message via email: “Hello sir, this is the faggot from Recon. I will be awaiting your orders sir. I look forward to hearing from you.”

4. In response, DE VERE wrote to the minor victim:

STUPID INFERIOR PATHETIC FAG CUNT –

You are the lowest form of subhuman dog shit. Every man that looks at you, knows you are WORTHLESS.

You are now this MASTER’S ***OWNED*** and ***CLAIMED*** boy. You are PROPERTY...that means NO RIGHTS, NO CONTROL and NO CHOICE.

SIR.

5. DE VERE then sent the minor victim a second email with the subject line “Orders,” in which he wrote:

Boy-

You will send MASTER clear pics of HIS little bitch boy...so SIR can see the faggot HE has claimed as HIS property.

First orders for boy –

1. Faggot will change its Recon profile to show it is now OWNED.
2. MASTER wants to see some pics of boy torturing its pathetic useless dick and

balls, so these can be shared with SIR's brutal MASTER friends...SIR wants to subject boy to ridicule and have SUPERIOR MEN laugh and humiliate this fag for being such a stupid piece of shit.

6. The minor victim responded shortly after, writing: "Yessir! Although I'm not sure how I would torture my own cock and balls sir. If you could help give your faggot some help it would be greatly appreciated. Thank you SIR." The minor victim also asked DE VERE whether he wanted any specific pictures of him.

7. DE VERE then elaborated, writing:

MASTER wants this faggot to torture your balls by taking them in your hand, and slowly crushing them. SIR wants HIS faggot to feel deep [pain] and nausea from the abuse...make it hurt, little fucker! And boy will beat his exposed and defenseless dick meat with a metal or wooden ruler if he has one.

MASTER wants to see pics of boy's face, chest, dick/balls, ass, and legs.

8. The minor victim wrote back: "Yessir. I will get [t]hose photos to you tonight master. And sir I think there is something you should know sir. Please respond."

9. When DE VERE asked the minor victim what he should know, the minor victim informed him: "Now, please don't block/report me for saying this sir, but I am not 18. I am 16 and I need a master to set me straight. I'm very sorry master."

10. After learning that the minor victim was only 16 years old, DE VERE responded: "Boy, This does not change MASTER'S desire to own/claim you. SIR knows this boy needs a very strict, sadistic, brutal MASTER DADDY to set you straight and to put you in your place."

11. On March 27, 2017, DE VERE reached out to the minor victim in order to get images of him engaged in sexually explicit conduct, writing:

INFERIOR LOWLIFE WORTHLESS FAG CUNT –

MASTER requires and orders HIS boy to send more pics of boy's face, body, legs, dick/balls, etc.

SIR wants to enjoy seeing the useless and utterly pathetic faggot HE has claimed as his property.

This boy will also torture and abuse its balls and dick as SIR ordered last night.

What a fucking piece of stinking DOG SHIT you are, queer boy asswipe fag scum.

MASTER

12. The minor victim responded: "Yessir! I will get those pictures to you as soon as I can sir. An inferior fag scum like me always has to obey his master NO MATTER WHAT. Your slave, [minor victim.]" The minor victim then sent DE VERE five images. These images include: (1) a close-up image of what appears to be the minor victim inserting several fingers into his anus; (2) an image of the minor victim nude and laying on his back while holding his legs spread to expose his anus; (3) an image of the minor victim nude and posed on a bed on all fours from the rear, exposing his anus and genitals; (4) an image of the minor victim nude and posed on a bed on all fours from the rear left angle, exposing his genitals and anus; and (5) a close-up image of what appears to be the minor victim inserting a finger into his anus.

13. After receiving these images, DE VERE wrote to the minor victim: "GOOD BOY! MASTER is VERY PLEASED with boy's pics! This slave has done EXACTLY as MASTER ordered – GOOD BOY!"

14. On March 27, 2017, the minor victim sent DE VERE an email in which he requested DE VERE's personal telephone number to facilitate communication. In response, DE VERE wrote that he prefers to communicate via email but would provide his telephone number if the minor victim "torture[d] [his] pathetic worthless dick and useless pig balls."

15. The minor victim then sent DE VERE another set of five images, all taken while the minor victim was showering. These images include: (1) a close-up image of what appears to be the minor victim's hand tightly squeezing his genitals; (2) an image of the minor victim's naked

backside from the waist down; (3) an image of the minor victim in which the minor victim's genitals and a portion of his face are visible; (4) an image of the minor victim's face and chest; and (5) an image of the minor victim's genitals and feet.

16. After receiving this second set of images, DE VERE wrote to the minor victim: "GOOD BOY! MASTER is VERY PLEASED!" DE VERE eventually provided the minor victim with his personal telephone number and the two spoke via telephone.

17. Later on March 27, 2017, the minor victim wrote to DE VERE, asking if DE VERE would like him to wear anything in particular. DE VERE responded on March 28, 2017, writing:

MASTER demands and requires that this boy must be locked into chastity, and must also wear a butt plug every day. SIR often uses several forms of chastity device (CB6000, steel chastity belt, leather bondage shorts, etc.). To wear under clothing . . .MASTER orders boy to start with a CB6000, Curve, or other plastic device. If boy is very obedient and does EXACTLY as it is told, SIR will reward it later with a full steel chastity belt custom made for boy. Boy must be locked securely into chastity, and must send MASTER the key.

DE VERE then told the minor victim that he would send him an email containing links and more information about the devices that he wanted the minor victim to wear.

18. On March 28, 2017, the minor victim sent DE VERE another set of five images, again all taken while the minor victim was showering. These images include: (1) an image of the minor victim in which the minor victim's face and genitals are visible; (2) an image of the minor victim's genitals; (3) an image of the minor victim's buttocks; (4) a close-up image of what appears to be the minor victim's hand tightly squeezing his genitals; and (5) a second close-up image of what appears to be the minor victim's hand tightly squeezing his genitals.

19. In response, DE VERE wrote to the minor victim on March 28, 2017: "This boy has pleased MASTER ***VERY MUCH*** by sending these pics!!! SIR loves to see HIS sewer

pig and to enjoy its body through pics." DE VERE also sent the minor victim via email what appear to be several hyperlinks to websites that sell the devices referenced in Paragraph 17.

20. In response, the minor victim wrote to DE VERE: "These all look very nice sir! I love them all so much. . . . ANY of those works for me sir. If you buy anyone of them, I WILL pay you back. But you would have to send it somewhere else where my parents won't get suspicious."

21. DE VERE informed the minor victim that he could help the minor victim purchase a device if there was a way for DE VERE to "privately" send it to him. Additionally, after establishing that the minor victim lived with his parents in Colorado, DE VERE informed the minor victim that he could purchase one of the above-mentioned devices online for the minor victim or he could bring one himself to Colorado while visiting the minor victim. The next day, on March 29, 2017, DE VERE wrote to the minor victim: "SIR is making plans to come to [Colorado] to use and train HIS shit smear fag boy."

22. On March 30, 2017, DE VERE confirmed his intention to visit the minor victim in Colorado, writing to him: "SIR hopes boy is eager for HIM to visit [Colorado] in late April, so MASTER can inspect, train, and use HIS boy in person!"

23. At or around the same time as these email exchanges, DE VERE began communicating with an adult male who had also contacted the minor victim through Recon. This individual, later identified by law enforcement as Ryan Charles McCraw of Aurora, Colorado, contacted DE VERE on Recon to discuss the possibility of McCraw sexually abusing the minor victim in Colorado. According to DE VERE's communications with the minor victim, McCraw requested DE VERE's "permission" to speak to the minor victim and, after discussing the minor victim with McCraw, DE VERE told the minor victim that he believed McCraw would be a "strong

man" capable of "training" the minor victim. DE VERE also told the minor victim that he would like to set "some ground rules" before "encourage[ing]" McCraw to "use" the minor victim.

24. DE VERE then sent the minor victim a list of what he described as "basic rules that other ALPHA SUPERIOR MEN must respect when training/using SIR'S boy," which included multiple rules related to the minor victim engaging in sexually explicit activity with men. After learning that McCraw intended to sexually abuse the minor victim in Colorado, DE VERE sent the minor victim a second list of instructions, this time instructing the minor victim as to what sexual activity he wanted McCraw and the minor victim to engage in. These activities included shaving the minor victim's body hair, inserting a "butt plug" into the minor victim's anus and having it remain inserted "at all times," placing a "denial/chastity" device on the minor victim's genitals, putting a collar on the minor victim to designate him as DE VERE's "property," and teaching the minor victim "learned slave positions" for how to sit and stand when around DE VERE. DE VERE then explained to McCraw via Recon that he hoped McCraw would be able to "help train/prepare/guide the little fag to be the best slave possible. . . so when it finishes [high school], it can become my next 24/7 [slave]," and that he intended to visit the minor victim in Colorado in late April 2017.

25. After receiving these instructions, the minor victim informed DE VERE on March 31, 2017 that he and McCraw were meeting the following evening. On April 2, 2017, DE VERE asked the minor victim how the meeting went. The minor victim told DE VERE that he and McCraw engaged in sexual acts together and that McCraw gave him a plastic device to wear on his genitals as a form of "chastity training." McCraw confirmed the meeting with DE VERE, writing that the minor victim stayed the night at his residence and "trained exceptionally well[.]"

26. In response to the minor victim, DE VERE wrote on April 3, 2017:

MASTER believes that [McCraw] has a lot to teach you, and that training with him is a very god thing. . . .SIR especially likes the fact that . . . [McCraw] has experience and skill in using fag boys like you.

MASTER is VERY EAGER to come to [Colorado] to use/collar HIS cum dump slut fag bitch. SIR is very proud to own such a boy. . . and that you are so anxious to learn and be molded into the perfect focused, devoted slave.

27. DE VERE continued to communicate with the minor victim via email in April 2017. They discussed, among other things, their sexual fantasies, including DE VERE molesting the minor victim in public, DE VERE drugging the minor victim, and DE VERE and other men sexually abusing the minor victim while the minor victim is incapacitated. In one instance, when the minor victim asked if DE VERE would “invite other men to use [him] in the hotel room when [DE VERE] visit[s],” DE VERE responded that he “intends to pimp/share HIS boy with other ALPHA SUPERIOR MEN,” and that he “has a good friend in [Colorado] who might be able to join MASTER in raping this bitch when MASTER visits.”

28. On April 17, 2017, DE VERE wrote to the minor victim that he had purchased a ticket for a flight to Denver, Colorado the following weekend, from April 21 to April 23, 2017. DE VERE also told the minor victim that he had reserved a room at a hotel in Denver for that weekend, and that he wanted the minor victim to stay with him. DE VERE confirmed in a later email to the minor victim that he would be arriving in Denver on April 21, 2017. On April 20, 2017, DE VERE again confirmed with the minor victim that he would be staying at a hotel in Denver, provided the hotel’s address to the minor victim, and instructed the minor victim to call him once the minor victim arrived at the hotel the following evening.

29. Before DE VERE left for Colorado, however, the minor victim wrote to DE VERE on April 21, 2017, that he was ill and would not be able to meet DE VERE in person. DE VERE

informed the minor victim that he would still travel to Denver to visit a friend. DE VERE also informed the minor victim that he still “desire[d] to inspect/train/use” the minor victim, and asked that the minor victim let DE VERE know when the minor victim would be available to meet. DE VERE then travelled to Colorado on April 21, 2017, staying at the hotel referenced above from April 21 to April 23, 2017.

30. DE VERE never met the minor victim, and the two stopped communicating shortly after the failed meeting.

31. On July 20, 2017, the minor victim’s parents contacted the police after discovering sex toys in the minor victim’s rooms and files appearing to depict the minor victim engaging in sexual acts with an adult on the minor victim’s cellular telephone. Following this report, law enforcement discovered the email communications between DE VERE and the minor victim and initiated an investigation of DE VERE.

32. The actions of DE VERE, as recounted above, were in all respects knowing, voluntary, and intentional, and were not committed by mistake, accident, or other innocent reason.

33. This Statement of Facts includes those facts necessary to support the plea agreement between DE VERE and the United States. DE VERE acknowledges that the foregoing facts do not describe all of his conduct relating to the offenses charged in this case and do not identify all of the persons with whom he might have engaged in illegal activities.

34. The Statement of Facts shall be admissible as a knowing and voluntary confession in any proceeding against DE VERE regardless of whether the plea agreement is presented to or accepted by a court. Moreover, DE VERE waives any right that he may have under Rule 11(f) of the Federal Rules of Criminal Procedure, Rule 410 of the Federal Rules of Evidence, the United

States Constitution, and any federal statute or rule in objecting to the admissibility of the Statement of Facts in any such proceeding.

G. Zachary Terwilliger
United States Attorney

By:

William Clayman

William G. Clayman
Special Assistant United States Attorney (LT)
Kellen S. Dwyer
Assistant United States Attorney

Defendant's Stipulation and Signature: After consulting with my attorney, I hereby stipulate that the above Statement of Facts is true and accurate, and that if the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

Date: 9.21.18

David E. De Vere
David Edward De Vere
Defendant

Defense Counsel's Signature: I am the attorney for the defendant in this case, David Edward De Vere. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is informed and voluntary.

Date: 9.21.18

Tracey A. Lenox
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Counsel for the Defendant